

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

QUICK RESPONSE COMMERCIAL DIVISION,
LLC, as Assignee of CONIFER PARK, INC.,

Civil Action No.: 1:15-CV-244 (DNH/CFH)

Plaintiff,
-against-

NOTICE OF REMOVAL

CONTINENTAL CASUALTY COMPANY.,

Defendant.

PLEASE TAKE NOTICE on this date, defendant CONTINENTAL CASUALTY COMPANY (hereafter "Continental") by its undersigned counsel has filed this Notice of Removal pursuant to 28 U.S.C. 1441 and 28 U.S.C. 1446 in the office of the Clerk of the United States District Court for the Northern District of New York. Said defendant by his undersigned attorneys shows:

1. Plaintiff QUICK RESPONSE COMMERCIAL DIVISION, LLC ("Plaintiff") commenced this action in the Supreme Court of the State of New York, Schenectady County on February 2, 2015, under Index No.: 2015-241 by filing a Summons and Complaint alleging breach of contract and related to a "Property Insurance Policy" issued to Plaintiff.

2. A copy of the Summons and Complaint was received by Continental on February 23, 2015 via mail from New York State Insurance Department in Albany, New York. A true copy of plaintiff's Summons and Complaint is attached as Exhibit A to the Index of Papers Served or Filed in State Court which is annexed hereto pursuant to Local Rule 81.1.

3. Subject diversity jurisdiction is conferred upon this Court by 28 U.S.C. § 1332, which provides that district courts have original jurisdiction in actions where the amount in controversy exceeds \$75,000 and the action is between citizens of different states. The plaintiff's

complaint claims damages of "at least \$816,757" and seeks a judgment relief awarding such damages. The plaintiff alleges it is a resident of the State of New York. Defendant Continental Casualty Company is an Illinois corporation.

4. This Notice of Removal is filed with this court within thirty days of Continental Casualty's receipt, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon such action or proceeding as provided by 28 U.S.C. 1446(b).

5. Defendant Continental Casualty Company hereby removes this action from the Supreme Court of the State of New York, Schenectady County, to the United States District Court for the Northern District of New York.

Dated: New York, New York
March 4, 2015

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TO: CLERK OF THE NYS SUPREME COURT, Schenectady County
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INDEX OF PAPERS SERVED OR FILED IN STATE COURT

Pursuant to 28 U.S.C. §1446(a), the following constitute all papers filed or served in New York State Supreme Court, up to the date of filing of this Notice of Removal. A copy of each document identified below is attached hereto as an exhibit, in chronological order and separately tabbed:

EXHIBIT A: Summons and Complaint filed February 2, 2015, served upon the defendant on or about February 23, 2015.